

## **Rejections**

### ***Rejections under 35 U.S.C. § 103***

#### **Claims 1-10**

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being obvious over Jeon et al. (U.S. Patent 5,937,101) in view of Ozcelik et al. (U.S. Patent 6,708,616). Applicant respectfully submits that U.S. Patent 6,708,616 to Ozcelik is disqualified as prior art under 35 U.S.C. 103(c) because of the common ownership of the patent and the present application as stated above. MPEP 706.2(l). Because the Examiner admits that Jeon alone does not teach or suggest all the limitations of Applicant's invention as claimed in claims 1-10, Applicant respectfully requests the withdrawal of the rejection of claims 1-10 under 35 U.S.C. 103(a).

#### **Claims 11-15**

Claims 11-15 stand rejected under 35 U.S.C. § 103(a) as being obvious over Jeon et al. in view of Ozcelik et al., and further in view of Florencio et al. (U.S. Patent 6,373,894 B1). Because Ozcelik is disqualified as prior art, the combination of Jeon and Florencio must disclose each and every limitation of Applicant's invention as claimed in claims 11-15 to have a proper case of obviousness. However, Florencio does not teach or suggest Applicant's claimed limitations that are missing from Jeon. Therefore, Applicant respectfully requests the withdrawal of the rejection of claims 11-15 under 35 U.S.C. 103(a).

#### **Examiner's Comments**

Applicant respectfully directs the Examiner to MPEP 2141.01 where the use of an affidavit under 37 C.F.R. 1.131 to disqualify a reference used in a 35 U.S.C. 103 rejection is explained in detail.

## **SUMMARY**

In this response, claims 1-15 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in

condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-3476.

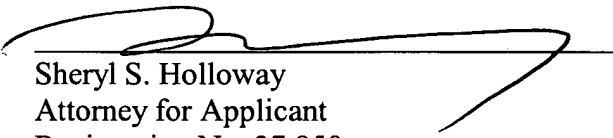
**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR  
& ZAFMAN LLP

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